

## REZONING APPLICATION

### Department of Building & Zoning Services

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224-3218

Phone: 614-645-7433 www.columbus.gov

OFFICE USE ONLY

Application #: 204-036A (ZA17-004) Date Received: 7/28/17

Application Accepted By: SP & KP Fee: \$10,880

Assigned Planner: Kelsey Priene; Kpriene@columbus.gov; 614-645-1341

#### LOCATION AND ZONING REQUEST:

Certified Address or Zoning Number: 6336 East Broad Street Zip 43213

Is this application being annexed into the City of Columbus ☐ Yes ☒ No (select one)

*If the site is currently pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.*

Parcel Number for Certified Address 520-269048,

☐ Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s) CPD Requested Zoning District(s) CPD

Area Commission Area Commission or Civic Association: Far East Area Commission

Proposed Use or reason for rezoning request: To revise roadway contribution following addition of Institutional as a permitted use in Subarea 2, See CV 16-043. (continue on separate page if necessary)

Proposed Height District: H-60 Acreage +/- 24.704

[Columbus City Code Section 3309.14]

#### APPLICANT:

Name Empire Ventures/6200 E. Broad LLC

Address 150 E Broad St., Ste 800 City/State Columbus/Ohio Zip 43215

Phone # 614-229-4506 (Michael Shannon) Email \_\_\_\_\_

#### PROPERTY OWNER(S):

Name Empire Ventures/6200 E. Broad LLC

Address 150 E Broad St., Ste 800 City/State Columbus/Ohio Zip 43215

Phone # 614-229-4506 (Michael Shannon) Email \_\_\_\_\_

☒ Check here if listing additional property owners on a separate page

#### ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

☒ Attorney

☐ Agent

Name Michael Shannon, Esq.

Address 500 South Front Street, Suite 1200 City/State Columbus/Ohio Zip 43215

Phone # 614-229-4506 Fax # 614-229-4559 Email: mshannon@cbjlawyers.com

#### SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)

APPLICANT SIGNATURE [Signature]

PROPERTY OWNER SIGNATURE [Signature]

ATTORNEY / AGENT SIGNATURE [Signature]

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that the City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc. may delay the review of this application.

**PLEASE NOTE:** incomplete information will result in the rejection of this submittal.  
Applications must be submitted by appointment. Call 614-645-4522 to schedule.  
Please make all checks payable to the Columbus City Treasurer

## ADDITIONAL PROPERTY OWNERS

Hammerhead East Broad LLC  
6641 N. High St., Ste. 206  
Worthington, OH 43085

Moo Moo East Broad LLC  
42 Hill Rd. South  
Pickerington, OH 43147

Kemba Financial Credit Union Inc.  
555 Officenter PL.  
Columbus, OH 43230

CFA Real Property I LLC  
5200 Buffington Rd.  
Atlanta, GA 30349

204-036A

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## AFFIDAVIT

(See instruction sheet)

APPLICATION #: 204-036A

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Eric Zartman  
of (1) MAILING ADDRESS 500 South Front Street, Suite 1200, Columbus, Ohio 43215

deposed and states that (he/she) is the applicant, agent, or duly authorized attorney for same and the following is a list of the name(s) and mailing address(es) of all the owners of record of the property located at

(2) CERTIFIED ADDRESS FOR ZONING PURPOSES 6336 East Broad Street  
for which the application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 7/28/17

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME  
AND MAILING ADDRESS

☒ Check here if listing additional property owners  
on a separate page.

APPLICANT'S NAME AND PHONE #  
(same as listed on front of application)

AREA COMMISSION OR CIVIC GROUP  
AREA COMMISSION ZONING CHAIR OR  
CONTACT PERSON AND ADDRESS

(4) Empire Ventures/6200 E. Broad LLC  
150 E Broad St., Ste 800  
Columbus, Ohio 43215

Empire Ventures/6200 E. Broad LLC  
614-229-4506 (Michael Shannon)

(5) Far East AREA Commission  
LARRY MARSHALL  
2500 PARK CRESCENT DRIVE  
Columbus, OHIO 43232

and that the attached document (6) is a list of the names and complete mailing addresses, including zip codes, as shown on the County Auditor's Current Tax List or the County Treasurer's Mailing List, of all the owners of record of property within 125 feet of the exterior boundaries of the property for which the application was filed, and all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject property (7)

SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 28th day of July, in the year 2017

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:



(8) Carol A. Stewart

**CAROL A. STEWART**  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES 06/28/2019

*This Affidavit expires six (6) months after date of notarization.*

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## REZONING APPLICATION

### Department of Building & Zoning Services

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224-3218

Phone: 614-645-7433 www.columbus.gov

## PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this application.

**THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED.** Do not indicate 'NONE' in the space provided.

APPLICATION #:

204-036A

STATE OF OHIO

COUNTY OF FRANKLIN

Eric Zartman

Being first duly cautioned and sworn (NAME)

of (COMPLETE ADDRESS) 500 South Front Street, Suite 1200, Columbus, Ohio 43215

deposes and states that (he/she) is the APPLICANT, AGENT or DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application in the following format:

Name of business or individual  
Business or individual's address  
Address of corporate headquarters  
City, State, Zip  
Number of Columbus based employees  
Contact name and number

1. Empire Ventures/6200 E. Broad LLC 150 E Broad St., Ste 800 Columbus, Ohio 43215	2.
3. Continental Real Estate Companies 150 E. Broad St., Ste 800 Columbus, Ohio 43215	4.

☐ Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

*Eric Zartman*

Subscribed to me in my presence and before me this 28th day of July, in the year 2017

SIGNATURE OF NOTARY PUBLIC

*Carol A. Stewart*

My Commission Expires:

**CAROL A. STEWART**  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES 06/28/2019

*This Project Disclosure Statement expires six months after date of notarization.*



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# City of Columbus Zoning Plat



## ZONING NUMBER

The Zoning Number Contained on This Form  
is Herein Certified to Obtain Zoning, Rezoning,  
and Variances, and is NOT to be Used for  
the Securing of Building & Utility Permits

Parcel ID: 520269048

Zoning Number: 6336

Street Name: E BROAD ST

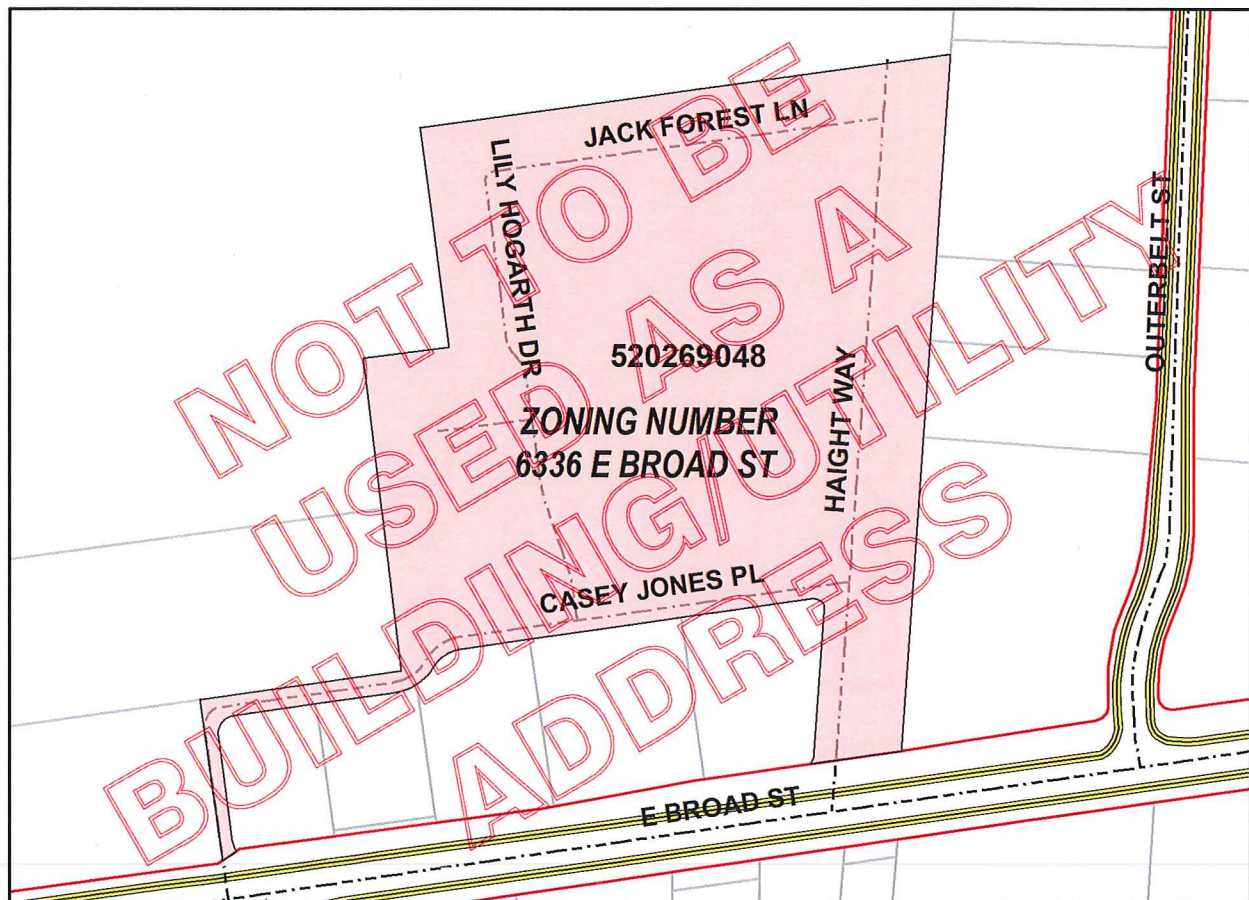
Lot Number: N/A

Subdivision: N/A

Requested By: CRABBE, BROWN & JAMES (ERIC ZARTMAN)

Issued By: *Edyana Amarian*

Date: 7/21/2017



FRANK D. WILLIAMS, ADMINISTRATOR  
DIVISION OF INFRASTRUCTURE MANAGEMENT  
COLUMBUS, OHIO

SCALE: 1 inch = 300 feet

GIS FILE NUMBER: 65076

*204-036A*

**SUBAREA II**  
**CPD, COMMERCIAL PLANNED DEVELOPMENT DISTRICT**  
**24.704 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 3, Township 1, Range 16, United States Military Lands, being all of the 1.128 acre tract conveyed as PARCEL TWO, the 0.488 acre tract conveyed as PARCEL FOUR, the 2.512 acre tract conveyed as PARCEL FIVE, and part of the 111.20 acre tract conveyed as PARCEL ONE, to Lucent Technologies Inc. by deed of record in Instrument No. 200207230180184 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and more particularly bounded and described as follows:

Beginning for Reference at a magnetic nail set marking the centerline intersection of East Broad Street (State Route 16) (width varies) and Taylor Station Road (98 foot R/W);

Thence North 82° 21' 49" East, a distance of 2106.31 feet, along the centerline of said East Broad Street, to a magnetic nail set. Said magnetic nail being the TRUE POINT OF BEGINNING of the herein described tract;

The following six (6) courses across said 111.20 acre tract:

1. Thence North 07° 46' 36" West, a distance of 339.99 feet, to an iron pin set;
2. Thence North 81° 59' 54" East, a distance of 319.47 feet, to an iron pin set;
3. Thence North 07° 00' 27" West, a distance of 492.05 feet, to an iron pin set;
4. Thence North 82° 59' 33" East, a distance of 136.13 feet, to an iron pin set;
5. Thence North 07° 29' 04" West, a distance of 346.24 feet, to an iron pin set;
6. Thence North 82° 11' 38" East, a distance of 843.45 feet, to an iron pin set in the westerly line of the 2.758 acre tract conveyed to ZRM Property Co. by deed of record in Instrument No. 199902220044107;

Thence South 04° 04' 48" West, a distance of 1202.58 feet, along the westerly lines of said 2.758 acre tract, the 1.100 acre tract conveyed to KDK Enterprises, PLL by deed of record in Official Record 28545 B20, the 1.256 acre tract conveyed to 77-83 Outerbelt Street, LLC by deed of record in Instrument No. 200310080322388 and the 3.502 acre tract conveyed to Praedium II Buckeye LLC by deed of record in Instrument No. 199712090163335, to a magnetic nail set in the centerline of said East Broad Street (State Route 16);

Thence South 81° 52' 38" West, a distance of 443.69 feet, along said centerline, to a magnetic nail set;

Thence South 82° 21' 49" West, a distance of 616.66 feet, along said centerline, to the TRUE POINT OF BEGINNING. Containing 24.704 acres of land, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings shown hereon are based on the bearing of North 82° 21' 49" East for the centerline of East Broad Street as established from a series of GPS observations in October, 2003.

EVANS, MECHWART HAMBLETON & TILTON, INC.



## AMENDED DEVELOPMENT TEXT

**PROPOSED DISTRICT:** CPD  
**PROPERTY ADDRESS:** 6336 East Broad Street  
**OWNER:** Empire Ventures/6200 E. Broad LLC  
\*See additional page for property owners  
**APPLICANT:** Empire Ventures/6200 E. Broad LLC, c/o  
Michael T. Shannon, Esq.  
Crabbe, Brown & James, LLP  
500 South Front St., Ste 1200  
Columbus, Ohio 43215  
**DATE OF TEXT:** 7/28/2017  
**APPLICATION NO:** 204-036A

**1. INTRODUCTION:** The subject site ("Site") is located at the northeast corner of East Broad Street and Taylor Station Road. The Site is Subarea 2 of a Commercial Planned Development which was adopted by City Council on March 28, 2005 (Ord. 0493-2005, Z04-036). That CPD proposed development of a 125,000-square foot big box retail store. In consideration of that use, the Applicant committed to contribute \$500,000.00 to the City of Columbus for roadway improvements.

Applicant was subsequently granted a Council Variance on July 18, 2106 (Ord. 1813-2016, CV 16-043) which added Institutional uses as permitted uses for parcel 520-269048 in Subarea 2. Applicant now proposes developing this parcel with housing for the elderly, assisted living, and memory care facilities, which impacts traffic less than the previously proposed big box retail store. Thuseruc, Applicants necessary contribution for roadway projects is decreased. This Amended Development Text is submitted to reflect that lesser amount of roadway contribution.

### Subarea 2 CPD

**2. PERMITTED USES:** The Site shall permit those uses permitted in Chapter 3356, C-4 Commercial, of the Columbus City Code along with car wash and a convenience store with gas sales and/or car wash. The following uses are prohibited from the subject property:

Automobile and Light Truck Dealers  
Billboards  
Motorcycle, Boat and Other Motor Vehicle Dealers  
Recreational Vehicle Dealers

**The Site shall also permit housing for the elderly, assisted living, and memory care facilities per Ordinance 1831-2016, CV 16-043.**

**3. DEVELOPMENT STANDARDS:** Unless otherwise indicated in this text or the submitted site plan, the applicable development standards are contained in Chapter 3356 of C-4 of the Columbus City Code.

A. Density, Lot, and/or Setback Commitments.

1. The building and parking setbacks along East Broad Street shall be 50 feet for buildings and 25 feet for parking and maneuvering.
2. Height district 60 feet.

B. Access, Loading, Parking, and/or Other Traffic Related Commitments.

1. All circulation, curb cuts and access points shall be subject to the approval of the City's Division of Transportation.
2. The developer of this subarea shall contribute ~~\$500,000~~ **\$242,000** to the roadway projects. This sum will be remitted in full to the City of Columbus only after the developer and/or any of its tenants has filed for and received Zoning Clearance ~~( ) that allow for the construction o at least 125,000 square feet of usable space on its portion of the Lucent site.~~
3. The City will require the existing Lucent Drive to be dedicated as public right-of-way. The width of the right-of-way shall be 60'.

C. Buffering, Landscaping, Open Space, and/or Screening Commitments.

1. Street trees shall be planted evenly spaced along East Broad Street at a ratio of one tree per thirty (30) feet of frontage.
2. Headlight screening shall be provided within the parking setback in the form of a 30-inch-high screen which may be of shrubbery, mounding or fencing individually or in any combination thereof.
3. All trees and landscaping shall be well maintained. Dead items shall be replaced within six months or the next planting season, whichever occurs first.
4. All trees meet the following minimum size at the time of planting: Shade trees 2.5" caliper; Ornamental trees 1.5" caliper; Evergreen trees 5 feet in height. Tree caliper is measured six (6) inches from the ground.

D. Building Design and/or Interior-Exterior Treatment Commitments.

204-036A



1. Any building within 200 feet of East Broad Street shall be finished on all four sides with the same building materials which shall consist of brick, stucco style stone or glass individually or in any combination thereof.

E. Lighting, Outdoor Display Areas, and/or other Environmental Commitments.

1. All external lighting shall be cut-off fixtures (down-lighting) and shall be designed to prevent offsite spillage.

2. All external outdoor lighting fixtures to be used shall be from the same or similar manufactures type to insure compatibility.

3. Accent lighting shall be permitted provided such light source is concealed.

4. Any wall-mounted lighting shall be shielded to prevent offsite spillage.

5. Canopy lighting for gasoline sales areas shall be recessed.

6. Light poles in the parking lot shall not exceed 28 feet in height.

7. Outdoor display areas for a convenience store:

a. In front of the building along the sidewalk, four feet in depth and twelve feet in width with a 4' x 4' area at the ends of the pump islands.

b. The maximum height for any outside display area shall be three feet.

c. The outdoor display area shall contain only those items normally and customarily sold by a convenience store and other seasonal items and products, including but not limited to, firewood, mulch, flowers, Christmas wreaths.

F. Graphics and/or Signage Commitments.

1. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the C-4, Commercial classification and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous Commitments.

1. The developer shall install a sidewalk along the East Broad Street frontage. The developers shall provide a pedestrian connection between its retail development and its north property line. Final location shall be determined at the time of development.

2. Variance Requested

- a. Reduce building setback along East Broad Street from 80 feet to 50 feet.

**4. CPD REQUIREMENTS**

a. Natural Environment: The site is the former Lucent facility at the northeast corner of East Broad Street and Taylor Station Road.

b. Existing Land Use: Manufacturing and office facility.

c. Transportation and Circulation Facilities: The site currently has access to East Broad Street and Taylor Station Road.

d. Visual Form of the Environment: The site will be developed in accordance with the submitted development standards.

e. View and Visibility: In the development of the subject property and the location of the building and access points consideration will be given to the visibility and safety of the motorist and pedestrian.

f. Proposed Development: See permitted uses.

g. Behavior Patterns: The proposed development will create new behavior patterns due to the type of development however access will still be from East Broad Street or Taylor Station Road.

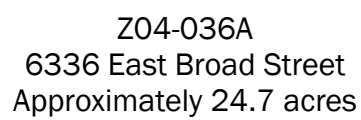
h. Emissions: No adverse effect shall occur from the redevelopment of this site.

*The undersigned, being the owner of the subject property, together with the Applicant in the subject Application, or their authorized representatives, do hereby agree singularly and collectively for themselves, their heirs, successors and assigns, to abide by above restrictions.*

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Michael T. Shannon", is written over a horizontal line.

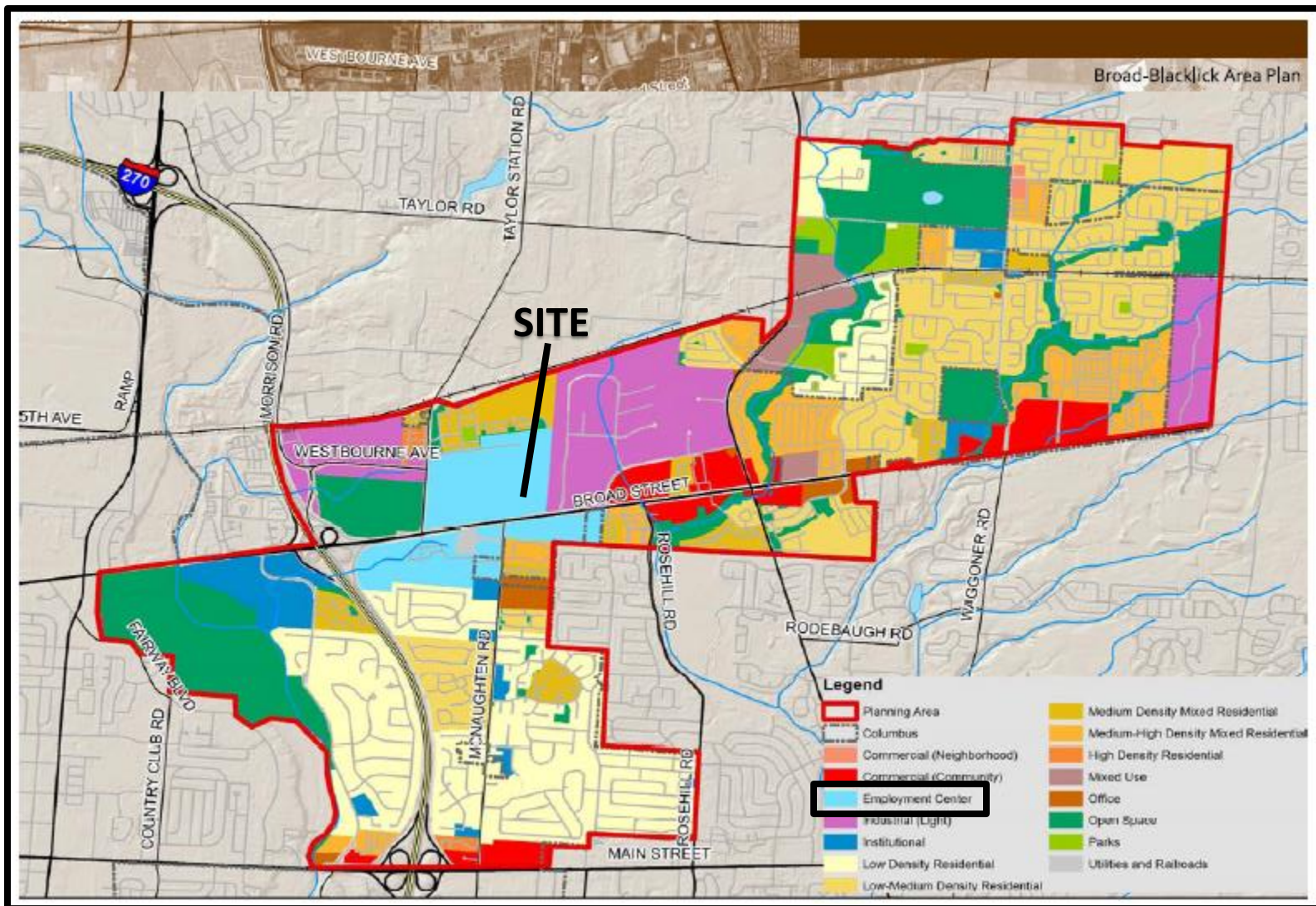
Michael T. Shannon, Esq.  
Attorney for Applicant



Approximately 24.7 acres



*Broad/Blacklick Area Plan (2011)*



Z04-036A  
6336 East Broad Street  
Approximately 24.7 acres





Z04-036A  
6336 East Broad Street  
Approximately 24.7 acres